

WEST BABYLON UNION FREE SCHOOL DISTRICT
WEST BABYLON, NEW YORK
REGULAR MEETING
BOARD OF EDUCATION
BOARD ROOM - ADMINISTRATION BUILDING
TUESDAY – OCTOBER 8, 2013
AGENDA

The order of business at all regular meetings shall be as follows:

1. Call to order by presiding officer
2. Pledge of Allegiance to the Flag

[7:00 P.M. - Meeting Convenes Followed by Student Presentation(s) and/or Executive Session]

[8:00 P.M. - Public Session Resumes Beginning with Item #3]

3. Approval of minutes of previous meeting(s): Regular Meeting: September 24, 2013
4. Statement of the Board and/or Superintendent
5. Statement of West Babylon Teachers' Association Representatives
6. Statement of School Administrators' Association Representatives
7. Statement of C.S.E.A. Representatives
8. Statement of Student Association Representatives
9. Statement of PTA Council Representatives
10. Statement of Residents re: agenda items [15 minutes-limited to 3 minutes per speaker]*
11. Report of the Superintendent and/or Educational Presentation:
 - A. Junior High School Academic Presentation
Mr. Scott Payne, Principal and Mrs. Jennifer Carere, Assistant Principal
 - B. External Auditor's Report
Mr. Michael Nawrocki, CPA, Nawrocki Smith LLP
 - C. Year End Summary and Tax Rate Summary
Mrs. Jennifer Buscemi, Executive Director for Finance & Operations
12. Business Agenda [****Consent Agenda Items**]
 - A. **BOARD OF EDUCATION**
 - ** (R) Approval of Consultant to provide Physical Therapy Services to Homebound West Babylon School District Resident Student during the 2013-2014 School Year. (Res. #BE-1)
 - ** (R) Approval of Mill Neck Manor School for the Deaf to provide Educational Program for Hearing Disabled West Babylon School District Resident Students during the 2013-2014 School Year (Res. #BE-2)
 - ** (R) Acceptance of External Auditor's Report (Res. #BE-3)

B. PERSONNEL

- ** (R) 13-P-7 Professional Personnel
- ** (R) 13-C-7 Civil Service Personnel (Res. #PE-1)

C. FINANCE

- ** (R) 2013-2014 West Babylon Union Free School District Tax Levy (Res. #FI-1)
- ** (R) 2013-2014 West Babylon Public Library Tax Levy (Res. #FI-2)
- ** (R) Acknowledgement of Claims Auditor's Reports and Recommendations (Res. #FI-3)
- ** (R) Budget Transfer (Res. #FI-4)
- ** (R) Acceptance of Donations (Res. #FI-5 through Res. #FI-8)

D. CURRICULUM

- ** (R) Adoption of Senior High School Spanish 5 Textbook (Res. #CU-1)

E. FACILITIES

- ** (R) Acceptance of Donations (Res. #FA-1 through Res. #FA-2)
- ** (R) Declaration of Obsolete Equipment (Res. #FA-3)

13. Policy Review:

- A. Board Review-School Board Powers and Duties (Review) (File:2110)
- B. Board Review-School Board Elections (with 2120.1 and 2120.2) (Review) (File:2120)
- C. Board Review-Board Member Resignation (Review) (File:2130)
- D. Board Review-Filling Board Vacancies (Review) (File:2150)
- E. Board Review-Board Organizational Meeting (Review) (File:2210)
- F. Board Review-Board Officers (Review) (File:2220)
- G. Board Review-Appointed Board Officials (Review) (File:2230)
- H. Board Review-School Attorney (Review) (File:2270)
- I. Board Review-Organization Chart (First Time Reading) (File:3220)
- J. Board Review-Organization Chart (Deletion) (File:CCAE)
- K. Board Review-Comprehensive Tobacco Policy (Second Time Discussion) (File:1530)
- L. Board Review-School Board Officer and Employee Code of Ethics (Third Time Adoption) (File:2160)

14. Board of Education Committee Reports: **Summary of Nassau/Suffolk School Boards Association Resolution Meeting**

15. Old Business

16. New Business

17. Follow-Up to Residents' Statements

18. Statements of Residents re: other district items [15 minutes-limited to 3 minutes per speaker]*

19. Adjournment [This should take place by 11:00 P.M.]

*Per Board Policy 1230: The Board of Education encourages participation of residents at open Board meetings. The President of the Board shall ask for brief statements from residents and set a time limit (three minutes per resident) on such statements. To allow for public participation, a period not to exceed 15 minutes shall be set aside during the first and last part of each Board meeting. The President shall be responsible for the orderly conduct of the meeting and shall rule on such matters as the time to be allowed for public discussion and the appropriateness of the subject being presented. The President shall have the right to discontinue any presentation which violates this policy. Residents wishing to speak should identify themselves, their address, any organization they may be representing at the meeting, and the topic they wish to discuss. Statements during the first part of the meeting will relate to agenda items. Statements during the second part of the meeting will relate to other district matters.

Follow-Up to Residents' Unanswered Questions

Date	Residents' Questions	Responses
September 24, 2013	-----	-----
September 12, 2013	-----	-----
August 27, 2013	-----	-----
August 13, 2013	-----	-----
July 23, 2013	-----	-----
July 9, 2013	-----	-----

WEST BABYLON UNION FREE SCHOOL DISTRICT
WEST BABYLON, NEW YORK
REGULAR MEETING
BOARD OF EDUCATION
BOARD ROOM - ADMINISTRATION BUILDING
TUESDAY – OCTOBER 8, 2013
RESOLUTIONS

BOARD OF EDUCATION

****#BE-1**

RESOLVED: that the West Babylon Board of Education approves the following consultant to provide physical therapy services to a homebound West Babylon School District resident student, at a rate of \$70.00 per 45 minute session, during the period July 2013 through June 2014:

Ms. Jeanne Martin

****#BE-2**

RESOLVED that the West Babylon Board of Education approves the following school to provide an educational program for deaf/hearing impaired/communicatively impaired/multiple disabilities West Babylon School District resident students during the 2013-2014 school year:

Mill Neck Manor for the Deaf

****#BE-3**

RESOLVED: that the Independent External Auditor's Report, for the fiscal year ending June 30, 2013, be accepted by the West Babylon Board of Education, as presented to the Audit Committee, by Mr. Michael Nawrocki, CPA, from the firm of Nawrocki Smith LLP.

PERSONNEL

**#PE-1

RESOLVED: that the following schedules, as attached, are approved:

13-P-7

Professional Personnel

13-C-7

Civil Service Personnel

FINANCE

****#FI-1**

RESOLVED: that the amount to be raised by tax levy for the West Babylon Union Free School District be fixed at the sum of \$66,056,793, for the 2013-2014 school year.

****#FI-2**

RESOLVED: that the amount to be raised by tax levy for the West Babylon Public Library be fixed at the sum of \$3,434,261, for the 2013-2014 school year, as presented by Ms. Gail Pepa, Director, West Babylon Public Library.

****#FI-3**

RESOLVED: that the West Babylon Board of Education acknowledges receipt of the June, July, and August 2013 claims auditor's reports and recommendations.

****#FI-4**

RESOLVED: that the West Babylon Board of Education retroactively approves the following budget transfer:

<i>ACCOUNT CODE</i>	<i>ACCOUNT CODE DESCRIPTION & TRANSFER EXPLANATION</i>	<i>FROM</i>	<i>TO</i>
A2020.1600	Principal Clerical Salaries	\$47,424.00	
A2630.1600	Non Instructional Salaries Technology		\$47,424.00
	Clerical Location Change		

****#FI-5**

RESOLVED: that the West Babylon Board of Education gratefully accepts the following donation from the West Babylon Administrators Association:

\$250

The donation will be used for the Spring District Fun Run and Wellness Fair.

***FI-6

RESOLVED: that the West Babylon Board of Education gratefully accepts the following donation from Mr. Anthony Cacciola, Superintendent of Schools:

\$500

The donation will be used for the Spring District Fun Run and Wellness Fair.

***FI-7

RESOLVED: that the West Babylon Board of Education gratefully accepts the following donations:

\$770.93 from Target's "Take Charge of Education" program

\$103.35 from the Aetna Foundation

These donations will be deposited into the Senior High School's Trust and Agency account.

***FI-8

RESOLVED: that the West Babylon Board of Education gratefully accepts a donation, in the amount of \$311.86, from Target's "Take Charge of Education" program. The donation will be deposited into South Bay Elementary School's Trust and Agency account.

CURRICULUM

***CU-1

RESOLVED: that the textbook titled Identities: Exploraciones e Interconexiones, 3/E, by Guzman Lapuerta, Liskin-Gasparro, and Castells, copyright 2013, is adopted by the West Babylon Board of Education, for use by Grade 12, Spanish 5 course, effective October 2013.

FACILITIES

****#FA-1**

RESOLVED: that the West Babylon Board of Education gratefully accepts the following donation, from Ms. Karen Cheeseboro, a West Babylon resident:

1 (one) Wurlitzer Piano

****#FA-2**

RESOLVED: that the West Babylon Board of Education gratefully accepts the following donation from Mrs. Lisa Mallahan, a West Babylon resident and parent of two West Babylon students:

1 (one) tree and memorial plaque

The tree and plaque are in memory of Mrs. Mallahan's niece, Gia Gangemi, who attended Tooker Avenue Elementary School. At the request of the Mallahan family, the tree and plaque will be placed in the front of Tooker Avenue School.

****#FA-3**

RESOLVED: that the West Babylon Board of Education declares the following equipment located at Santapogue Elementary School obsolete:

1. Garland Oven - Model No. Tg3 - Serial No. 12A1987
2. Quinton Treadmill - Model: Clubtrack - Serial No. 00377-009-31807
3. Samsung Television - Model No. txb2735 - Serial No. 3cdf600193 - WB Bar Code 002360

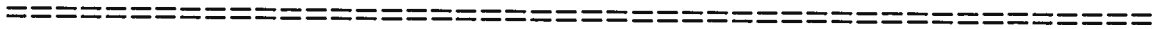
The equipment is outdated and no longer functioning.

WEST BABYLON UNION FREE SCHOOL DISTRICT

REGULAR MEETING - BOARD OF EDUCATION - TUESDAY - OCTOBER 8, 2013

PERSONNEL

(R) Schedules: 13-P-7 Professional Personnel
 13-C-7 Civil Service Personnel



PROFESSIONAL PERSONNEL SCHEDULE

I. Professional Personnel Schedule 13-P-7

- A. Additional Section
- B. 2013-2014 Chairperson/HS
- C. 2013-2014 AEHS
- D. 2013-2014 Nursing Coverage for Before/After School Programs
- E. 2013-2014 Drama Club & Advisors
- F. Fall, 2013 Volunteer Asst. Coach
- G. 2013-2014 Student Teachers/Observers
- H. 2013-2014 Per Diem Substitutes

CIVIL SERVICE PERSONNEL SCHEDULE

II. Civil Service Schedule 13-C-7

- A. Family Medical Leave
- B. Leave of Absence Request
- C. Probationary Appointments
- D. 2013-2014 Student Printers
- E. 2013-2014 Per Diem Substitutes

SCHEDULE 13-P-7 Professional Personnel Schedule

Date of Meeting: October 8, 2013

Page 1 of 3 pages.

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
<u>Additional Section:</u>		HS		2013-2014	
Hearns, Gabrielle	Italian (.2)		\$14,664.40		
<u>Chairperson:</u>		HS	\$5,191.	2013-2014	[stipend adjustment]
Reilly-Johnson, Katharine	Business Education, Technology, FACS (9-12)				
<u>Alternative Evening High School:</u>					[adjustments]
Losito, Christopher	Asst. Director		\$5,900. (prorate)	9/25/13-10/8/13	
Losito, Christopher	Asst. Director		\$2,950.	10/9/13-6/30/14	
McGrath, Donna	Asst. Director		\$2,950.	10/9/13-6/30/14	
<u>Alternative Evening High School:</u>			\$34.85/hr.	2013-2014	
Schilt, Brianne	Guidance Counselor				[repl. P. Satriano]
<u>Nursing Coverage for Before/After School Programs:</u>				2013-2014	
Autera, Jennifer			\$90.34/hr.		
Clark, Julia			\$72.60/hr.		
Daly, Adair			\$31.66/hr.		
LaMantia, Joanne			\$35.22/hr.		
Lentricchia, Janet			\$42.46/hr.		
Raimondi, Theresa			\$41.92/hr.		
Senzamici, Donna			\$41.92/hr.		

SCHEDULE 13-P-7 Professional Personnel Schedule

Date of Meeting: October 8, 2013

Page 2 of 3 pages.

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
<u>Drama Club & Advisors:</u>		JH		2013-2014	
Cascio-Plezia, Deborah	Advisor		\$1,700.		
Pletto, Carol	Asst. Advisor		\$1,152.		
Prendergast, Beverly	Music Director		\$1,296.		
<u>Coaching:</u>				Fall, 2013	
Maxwell, Michael	Volunteer Asst.	Football	\$-0.-		
<u>Student Teachers/Observers:</u>				Fall, 2013	
Baez, Judy	ESL	JH			
Bagnoli, Rose	Mathematics	HS			
Bamberger, Jennifer	Elementary	FA			
Guardino, Michael	Mathematics	HS			
Incristo, Michael	Mathematics	JH/HS			
Luttrell, Katelyn	Special Education	JK			
Restaino, Austin	Social Studies	HS			
<u>Per Diem Substitutes:</u>		DW	\$90./day	2013-2014	
Baker, Melanie					[cert: Special Education]
Hartmann, Ashley					[certs: SWD 1-6, Ch. Ed. 1-6]
Sweet, Debora					[certs: SWD 1-6, Ch. Ed. 1-6]

SCHEDULE 13-C-7 Civil Service Personnel Schedule

Date of Meeting: October 8, 2013

Page 3 of 3 pages.

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
Lorito, Karen	Senior Clerk	Admin.		9/3/13 -	Family Medical Leave
Weckerle, Denise	Paraprofessional (special ed. aide)	FA		9/24/13 - 3/24/14	Leave of Absence
Conte, Mary	Paraprofessional (special ed. aide)	TA	Step 1/ \$13.37/hr.	10/9/13	Probationary Appt.
Meyer, Danielle	Paraprofessional (school monitor)	JK	Step 1/ \$13.37/hr.	10/9/13	Probationary Appt.
Student Printers:			\$7.25/hr.	2013-2014	
Bolosan, Ronald					
D'Errico, Douglas					
Kryjak, John					
Scarangella, Douglas					
Per Diem Substitutes:		DW	\$9./hr.	2013-2014	
*Catapano, Kristen					Clerical/Paraprofessional
Stack, Margaret					Paraprofessional

*Emergency Conditional Appointment

WEST BABYLON UNION FREE SCHOOL DISTRICT

REGULAR MEETING - BOARD OF EDUCATION - TUESDAY - OCTOBER 8, 2013

POLICY

- A. Board Review-School Board Powers and Duties (Review) (File:2110)
- B. Board Review-School Board Elections (with 2120.1 and 2120.2) (Review) (File:2120)
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- J. Board Review-Organization Chart (Delete) (File:CCAE)
- K. Board Review-Comprehensive Tobacco Policy (Second Time Discussion) (File:1530)
- L. Board Review-School Board Officer and Employee Code of Ethics (Third Time Adoption)
(File:2160)

School Board Powers and Duties

2110

Complete and final control of educational affairs at the local level rests with the Board. The Board, both as a state agency and as the representative of the people of the district on school matters, is legally responsible for education in its own district. This arrangement places authority squarely alongside responsibility. The Board must answer to the people for the basic decisions; therefore, it must make the basic decisions. The Board is the most representative local body (other than the direct democracy of the annual district meeting) in whose hands decisions for the whole district can be placed.

Legal References:

Education Law § 1604; 1701; 1709; 1710

Adopted: 1969
Reviewed: 12/8/09

SCHOOL BOARD ELECTIONS

2120

The elections of members of the Board of Education shall be held on the third Tuesday in May, unless this date conflicts with religious observances on that day, in which case it shall be held on the second Tuesday in May. The polls shall be open for those hours designated by the district. The following items shall be voted upon:

1. the annual budget,
2. any vacancies on the Board of Education, and
3. any special propositions that have been properly presented.

Electioneering during the hours of any vote is prohibited within the polling place or within 100 feet of any such polling place. Displays or handout items of any political nature, except those provided by law, shall be prohibited by any individual, group or organization in any school building on those days when the polls are open for voting on school district matters, including, but not limited to, the annual school budget, candidates for the Board of Education, special propositions, etc.

Cross-ref: 1050, Annual Election and Budget Vote

Ref: Education Law §§2012; 2013; 2014; 2018; 2018-a; 2019-a; 2031; 2035

Adoption date: 12/08/2009

CANDIDATES AND CAMPAIGNING

Nomination

Three Board members' terms of office expire each year. In accordance with section 2019(b) of the Education Law, the electors of the district adopted a proposition providing that in all elections, vacancies upon the Board shall not be considered separate, specific offices and that the nominating petitions shall not describe any specific vacancy upon the Board for which the candidate is nominated.

Candidates for the office of member of the Board of Education shall be nominated by petition. Such petition shall be directed to the District Clerk, and shall contain the signatures and addresses of at least 25 qualified voters of the district or two (2) percent of the number of voters who voted in the previous annual election of the members of the board, whichever is greater. Such petition must state the name and residence of the candidate. Each petition shall be filed with the District Clerk not later than thirty (30) days preceding the annual or special district meeting at which the school board election will occur, between 9:00 a.m. and 5:00 p.m. If the deadline for filing nominating petitions falls on "a Saturday, Sunday or public holiday, the filing may be performed on the next succeeding business day".

The order of names on the ballot will be determined the day after the petitions are due and the order will be determined by a drawing to be held at 9:00 am in the Administration Building. The Board may reject nominations if the candidate is ineligible or has declared an unwillingness to serve. Candidates for the Board of Education run at large, not for a particular seat.

Electioneering

Electioneering during the hours of any vote is prohibited within the polling place or within 100 feet of any such polling place. Displays or handout items of any political nature, except those provided by law, shall be prohibited by any individual, group or organization in any school building on those days when the polls are open for voting on school district matters, including, but not limited to, the annual school budget, candidates for the Board of Education, special propositions, etc.

Campaign Expenditure Statements

If a school board candidate's campaign expenditures exceed five hundred dollars (\$500), the candidate must file a sworn statement with both the District Clerk and the Commissioner of Education itemizing their expenditures and contributions received.

A candidate who spends five hundred dollars (\$500) or less is only required to file a sworn statement with the District Clerk indicating this to be the case. No other campaign expenditure statement is required.

An initial statement must be filed at least 30 days before the election, a second statement must be filed on or before the fifth day preceding the election and a final statement must be filed within 20 days after the election.

Ref: Education Law §§1528-1531; 2018(a); 2019(b); 2608(a); 2013-a;
2609 (4-a)
General Construction Law §25-a(1)
Appeal of Williams, 36 EDR 270 (1996)
Appeal of Johnson, 45 EDR 320 (2005)

Adoption date: 12/08/2009

Replaces in whole or in part former policy BBB

VOTING PROCEDURES

Eligibility to Vote:

A person shall be entitled to vote in any school district election and in all matters placed upon the official ballot, if such person is:

1. a citizen of the United States;
2. at least 18 years of age;
3. a resident within the school district for a period of 30 days next preceding the election at which such person desires to vote;
4. qualified to register or is registered to vote in accord with section 5-106 of the Election Law which excludes:
 - a) those convicted felons who have not been pardoned or had their rights of citizenship restored, those whose maximum sentence of imprisonment has not expired; and/or those who have not been discharged from parole;
 - b) persons adjudged mentally incompetent by a court

Challenges to voters believed unqualified to vote may be undertaken pursuant to Education Law provisions. Each annual or special election or meeting shall have a presiding chairman appointed by the Board. Such chairman shall have the responsibility of properly handling any challenges to the qualification of any voter.

Voting

Voting machines shall be used for recording the votes on all elections, budget votes, and votes on special propositions. The only exception to the use of voting machines shall be an emergency situation whereby the machines are unavailable due to a mechanical failure or state or local law prohibiting their use. If this should arise, paper ballots will be used.

Each voting machine shall have at least two election inspectors appointed by the Board in attendance during all voting hours. It shall be the duty of the District Clerk and assistant clerk or clerks to keep a poll list containing the name and legal residence of each person before such person is permitted to vote.

Entering a voting machine with another person is prohibited, except upon request from a voter, in which case an election inspector shall be allowed to enter the voting machine with that voter for the sole purpose of assisting that person in the actual manipulation of the voting machine. The election inspector shall not advise or induce such voter to vote on any proposition or candidate, and the election inspector shall never reveal the vote(s) recorded by the voter to any other person at any time.

Write-in ballot slots are required. Ballots containing the names of nominated candidates will be provided by the Board. On a paper ballot, one blank space will be provided under the name of the last candidate for each office so that voters may vote for

candidates who have not been nominated for the offices to be filled at the election. There will be as many write-in slots as there are vacancies at the time of election.

The writing in of a name in the blank space so provided, will sufficiently indicate a vote. The district cannot require a voter to place any other mark beside the name of a write-in candidate.

Absentee Ballots

The Board provides for the use of absentee ballots for voting. Such ballots shall be available for the election of members of the Board of Education, the adoption of the school district budget and on questions and propositions submitted to the voters of the district. The application must be received by the District Clerk at least seven days prior to the election, if the ballot is to be mailed to the voter; or the application must be received by the day before the election, if the ballot is to be personally delivered. The application must be completed and returned, and the individual must verify therein that he/she meets all voting requirements, and explain the reason for his/her inability to appear in person to vote.

In particular, the individual must explain that he/she will be unable to appear to vote in person on the day of the school district election because:

1. he/she will be a patient in a hospital, or unable to appear personally at the polling place on such day because of illness or physical disability;
2. his/her duties, occupation, business, or studies will require him/her to be outside of the county or city of his/her residence on such day;
3. he/she will be on vacation outside the county or city of his/her residence on such day; or
4. he/she will be detained in jail awaiting action by a grand jury; awaiting trial; or is confined in prison after conviction for an offense other than a felony.

The district shall request registration lists from the Board of Elections for those voters whose registration record has been marked "permanently disabled" and shall automatically mail absentee ballots to such voters in advance of each district vote or election.

Ref: Education Law §§2012; 2014; 2018; 2018-a; 2018-b; 2018-c; 2019; 2019-a; 2020; 2025; 2032(2)(e); 2035; 2037; 2603; 2607; 2610; 2613
Election Law §§3-224; 5-106; 5-612; 5-400; 5-406
Matter of Rodriguez, 31 EDR 471 (1992)
Matter of Gresty, 31 EDR 90 (1991)
Matter of Ferro, 25 EDR 175 (1985)
Matter of Manno and Maloney, 23 EDR 172 (1983)
Matter of Yost, 21 EDR 140 (1981)
Matter of Alpert and Helmer, 20 EDR 281 (1980)
Matter of Reigler and Barton, 16 EDR 256 (1977)

Adoption date: 12/08/2009

Board Member Resignation

File: 2130

Under Education Law, a board member may resign at a district meeting or by filing a written resignation with the District (BOCES) Superintendent or his/her district, which becomes effective only upon the approval of the District Superintendent and filing with the District Clerk.

Alternatively, a board member may resign under the Public Officers Law by delivering to or filing a written resignation with the District Clerk. The District Clerk must then notify the school board and the state board of elections.

A resignation becomes effective on the date specified in the resignation or, if no effective date is specified, then immediately upon delivery to or filing with the District Clerk. In no event shall the effective date be more than 30 days after its proper filing.

A successor may not be appointed or elected until after the resignation becomes effective.

Ref: Education Law §2111
Public Officers Law §31
Opn. Att’y Gen. 97-1
Roberts v. Allen, 54 Misc.2d 746 (1962)
Matter of Verity, 28 EDR 171 (1988)

Replaces (in whole or in part) former policy BBC

Adoption date: 12/08/2009

DRAFT

Board Review 10/8/13

Filling Board Vacancies

File: 2150

A vacancy on the Board of Education may be filled by any of the following methods:

1. The Board of Education has the power to fill any vacancy, by a majority vote, which may occur on the Board by reason of death, resignation, removal from office or from the school district, or refusal to serve, of any member or officer of the Board. The person so appointed in the place of any such member of the Board shall hold his/her office until the next annual election of Board members. The unexpired term of the office will then be filled by election.
2. The Board of Education may call a special district meeting, to be held within 90 days after the occurrence of the vacancy, to fill the unexpired term of the vacant position.
3. At the expiration of 90 days from the occurrence of the vacancy, the district superintendent of the supervising district in which the school district is located may appoint a competent person to fill the vacancy until the next regular school district election.

The person elected or appointed to fill a vacancy shall take office immediately upon filing his/her official oath of office with the District Clerk.

Replaces (in whole or in part) former policy BBE

Legal References:

Education Law § 1709, 2113 (1)(2)(3)

Adopted: 12/08/2009

Legal References:

Education Law § 1709, 2113 (1)(2)(3)

BOARD ORGANIZATIONAL MEETING

The Board of Education recognizes its obligation to hold an annual organizational meeting. The purpose of the organizational meeting is to elect officers of the Board and make the proper appointments and designations of other district employees for the proper management of the school district during the school year.

The Board will hold its annual organizational meeting on the first Tuesday in July. If that day is a legal holiday, the Board will hold the meeting on the first Wednesday in July. The Board may alternately hold the meeting on a date during the first 15 days in July that is not a legal holiday. The Board will choose this date by resolution at a Board meeting before July.

The District Clerk shall call the meeting to order, and shall preside until the election of a new president. The order of business to be conducted at the organizational meeting shall include items required or implied by state law and/or regulation. The Board may also conduct general district business, including properly entering into executive session, if necessary.

I. Oath of Office

The School Attorney shall administer and countersign the oath of office to newly-elected Board members and Central Administrators. No new Board member shall be permitted to vote until he/she has taken the oath of office.

II. Election of Board Officers

The Board shall elect a president and vice-president for the ensuing year, and administer the oath of office to them. A majority of all members of the Board shall be necessary for a valid election.

III. Appointment of District Officers

The Board shall appoint and the District Clerk and/or School Attorney shall administer the oath of office to the following district officers:

District Treasurer Claims Auditor District Clerk Tax Collector

IV. Appointment of Other Positions

The Board shall appoint and establish the stipend (if any) for the following positions:

School Physician	School Dentist	General Counsel	Bond Counsel
Labor Relations Counsel	District Accountant	Fiscal Advisor	Purchasing Agent
Payroll Certification Officer	Internal Auditor	External Auditor	Audit Committee
Records Access Officer	Records Mgmt. Officer	TitleIX/Section 504 Hearing Officer(s)	
Asbestos Designee	Designated Ed. Officer	Health & Safety Officer	
Hazardous Material Compliance Officer		Senior Guard	
Extracurricular Activities Treasurer		Election Clerks & Inspectors	
Extracurricular Activities Deputy Treasurer		Parent Surrogates	
Co-Signer for Student Activities Funds		Section 75 Hearing Officers	
Committee on Special Education (CSE)		Other Consultants	
Committee on Pre-School Education (CPSE)			

V. Bonding of Personnel

The Board may authorize the following bond:

\$1,000,000 - All Employees

VI. Designations

The Board shall designate/approve:

Banks as official depositories for district funds
Official district newspapers
The day and time of regular meetings
The rate for mileage reimbursement
The calendar for the upcoming school year
The prices for school meals

The Board shall also adopt the rotational list of impartial hearing officers for the district as provided by the State Education Department.

VII. Authorizations:

- a. of person to certify payrolls;
- b. of contracts for student services (such as health, cafeteria), and tuition contracts, when necessary;
- c. to establish petty cash funds (and to set amount of such funds);
- d. to designate authorized signatures on checks;
- e. of Board and district memberships in professional organizations;
- f. to offer school district employee and officer indemnification under Public Officer's Law §18;
- g. of Board representative(s) for appointing Impartial Hearing Officers; and
- h. of Superintendent of Schools to approve budget transfers, and the monetary limits of such transfers.

The Board shall review its policies on Investments (6240) and Purchasing (6700), and the Code of Conduct (5300), as required by law. The Board shall also review building-level student attendance data as required under Commissioner's Regulations section 104.1, and if the data shows a decline in attendance rates, shall review its policy on Attendance (5100).

Cross-ref: 2270, School Attorney
2220, Board Officers
2230, Appointed Board Officials
2310, Regular Meetings
5100, Attendance
5252, Student Activities Funds Management

5300, Code of Conduct
6240, Investments
6650, Claims Auditor
6680, Internal Audit Function
6690, Audit Committee
6700, Purchasing
6741, Contracting for Professional Services

Ref: New York State Constitution, Article XIII, §1
General Municipal Law §103(2) (official newspapers)

Public Officers Law §§10; 13; 30

Education Law §§ 305(31) (designated educational official); 701 (meeting to elect president, may elect vice president); 1707 (date of meeting); 2130 (appoint clerk, bonded treasurer and bonded tax collector)

8 NYCRR § 104.1 (requirement to review attendance data)

Adopted: 12/08/2009

BOARD OFFICERS

The President and Vice-President of the Board of Education shall be elected by members of the Board at the annual organization meeting in July.

Duties of the President of the Board

The duties of the President of the Board shall be as follows:

1. to preside at all meetings;
2. to call special meetings he/she considers necessary or on request of one member of the Board;
3. to appoint, at his/her discretion, all committees of the Board;
4. to act as an ex-officio member of all such committees;
5. to execute all documents on behalf of the Board;
6. to review agendas as prepared by the Superintendent

Duties of the Vice-President

The Vice-President shall perform the duties and have the obligations of the President, except when specific statutory powers are reserved exclusively to the President.

Duties of the Second Vice-President

The Board, upon a majority of votes, can annually appoint a Second Vice-President who shall act in the absence of the President and the Vice-President and shall perform the duties and have the obligations of the President, except when specific statutory powers are reserved exclusively to the President.

Ref: New York State Constitution, Article 13 §2
Local Finance Law §2.00(5)(e)
Education Law §§1709; 2105(6); 2502; 2504; 2553; 2563; 2590-b

Replaces in whole or in part former policies BCB and BCBA

Adopted: 12/08/2009

Appointed Board Officials

2230

District Clerk

The Board of Education shall annually appoint a District Clerk. The District Clerk shall:

- 1] keep an accurate record of the proceedings of the Board of Education and shall submit a copy of the proceedings to each Board member and the Superintendent of Schools;
- 2] file all correspondence and records relating to matters of the school district, involving the Board;
- 3] prepare and arrange publication of legal notices;
- 4] attend all public meetings of the Board (Regular and Special) as well as public hearing of the Board and when requested;
- 5] perform duties pertaining to the preparation for; and conduct of district elections, budget votes, and special district referendum elections;
- 6] in the absence of both the President and the Vice President(s) of the Board at a duly constituted meeting, determine the member with the longest tenure on the Board in alphabetical order, and that member shall assume all the usual duties of the President until either the President or one of the two Vice Presidents is in attendance.
- 7] administer the Oath of Office for all Board members and school district officers; and
- 8] perform any other work requested of him/her by the Board or the Superintendent.

District Treasurer

The Board of Education shall annually appoint a District Treasurer. The District Treasurer shall:

- 1] act as custodian of all monies belonging to the district;
- 2] receive all monies belonging to the district and Issue receipts for the same;
- 3] deposit monies received in banks designated by the Board;
- 4] be bonded in such sum as shall be required before entering into the duties of the office;
- 5] pay out district monies on written order of officials of the Board; and
- 6] give detailed accounts of monies received and disbursed.

Duties of the Deputy Treasurer of the Board

It shall be the duty of the Deputy Treasurer of the Board to:

- 1] in the absence of the District Treasurer, pay out district monies on approved order of the Board.
- 2] receives and issues receipts for all money of the trust and agency funds

Duties of the Claims Auditor:

It shall be the duty of the Claims Auditor to:

- 1] On behalf of the Board audit and approve all claims (except contracted wages and debt service).
- 2] The claims auditor reports directly to the board of education.
- 3] The claims auditor should report to the full board on the result of the audits of claims.
- 4] The claims auditor is under the supervision and direction of the Superintendent.
- 5] The claims auditor should report to the Superintendent for administrative issues such as work space, supplies, etc.

Legal References:

Education Law § 2102; 2121; 2122; 2130

Adopted: 12/08/2009

SCHOOL ATTORNEY

2270

At the Organizational Meeting, the Board of Education shall designate an attorney to render legal opinions and to provide such other legal services as necessary during the school year. Said annual resolution shall state the compensation payable to the attorney.

The Board Members, or the Superintendent of Schools (or his/her designee), may contact the counsel on legal matters affecting the operation of the school district.

The Attorney must be admitted to the bar of New York State. The Attorney will be the legal advisor to the Board. In that capacity, the Attorney's duties will be:

1. to advise the Board with respect to all legal matters relating to the district, including, but not limited to, interpretation of the Education Law of the State of New York, and all other statutes, rules or regulations affecting the district;
2. to be easily accessible to the Board and the Superintendent of Schools (and, at the discretion of the Superintendent, to his/her administrative staff), with respect to legal matters issuing out of the day-to-day administration of the district;
3. to review and to represent the district in the preparation of contracts, as requested by the district (other than the contract for school attorney services);
4. to advise and assist in matters of litigation pursuant to the retainer agreement;
5. to review the legality of all policies or regulations to be adopted by the Board;
6. to review and advise with respect to any process served upon the district; and
7. to recommend the retaining of such special counsel as he or she may deem necessary in the circumstances, subject to the approval of the Board.

The selection of the School Attorney shall be carried out in accordance with state law and regulation, as well as Board policy.

Replaces in whole or in part former policy BCG

Cross-ref: 2210, Board Organizational Meeting
6741, Contracting for Professional Services

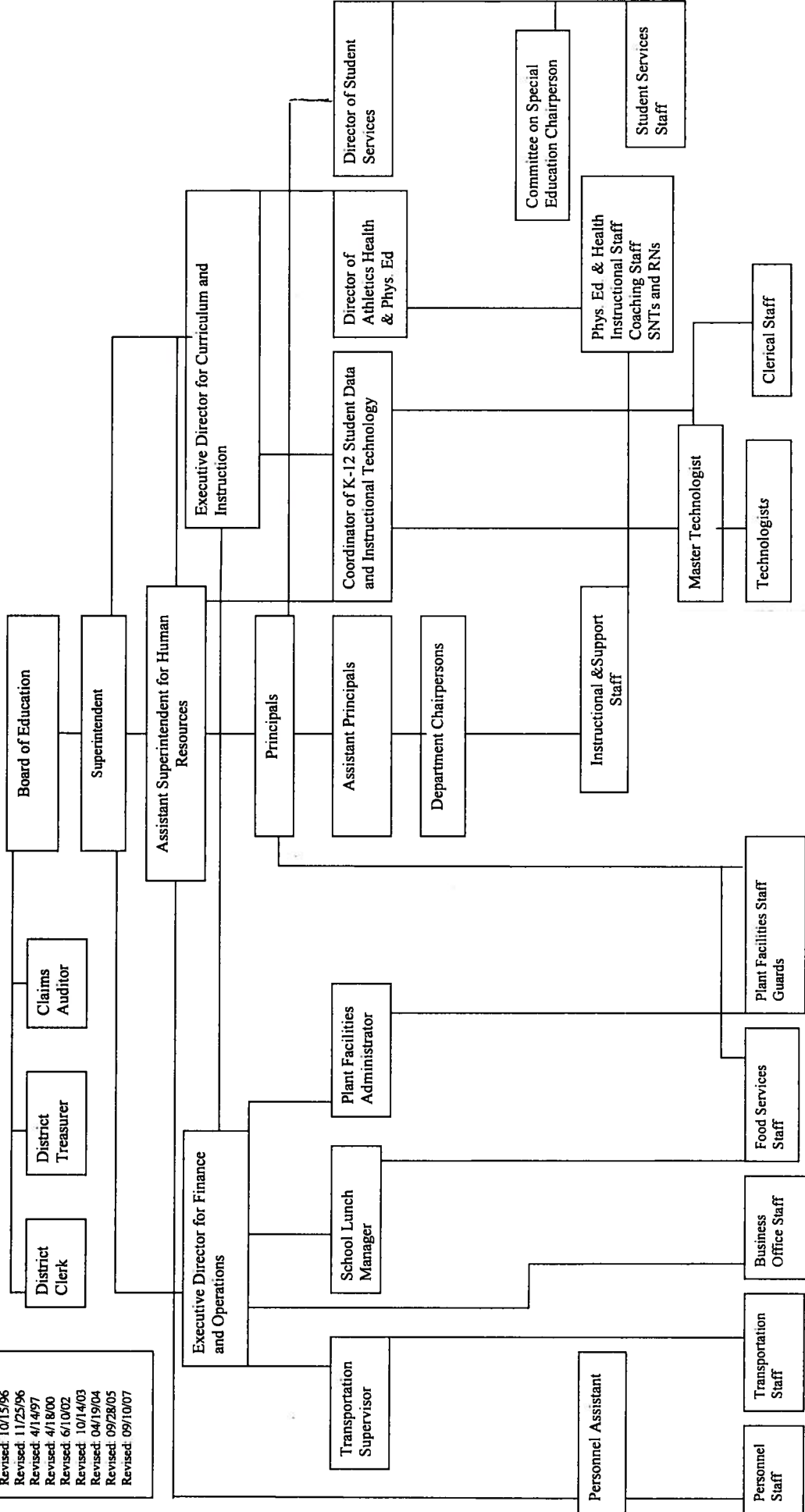
Adoption date: Adopted: 12/08/2009

DRAFT

First Time Reading 10/8/2013:
FILE: 3220

WEST BABYLON SCHOOLS ORGANIZATION CHART 2013

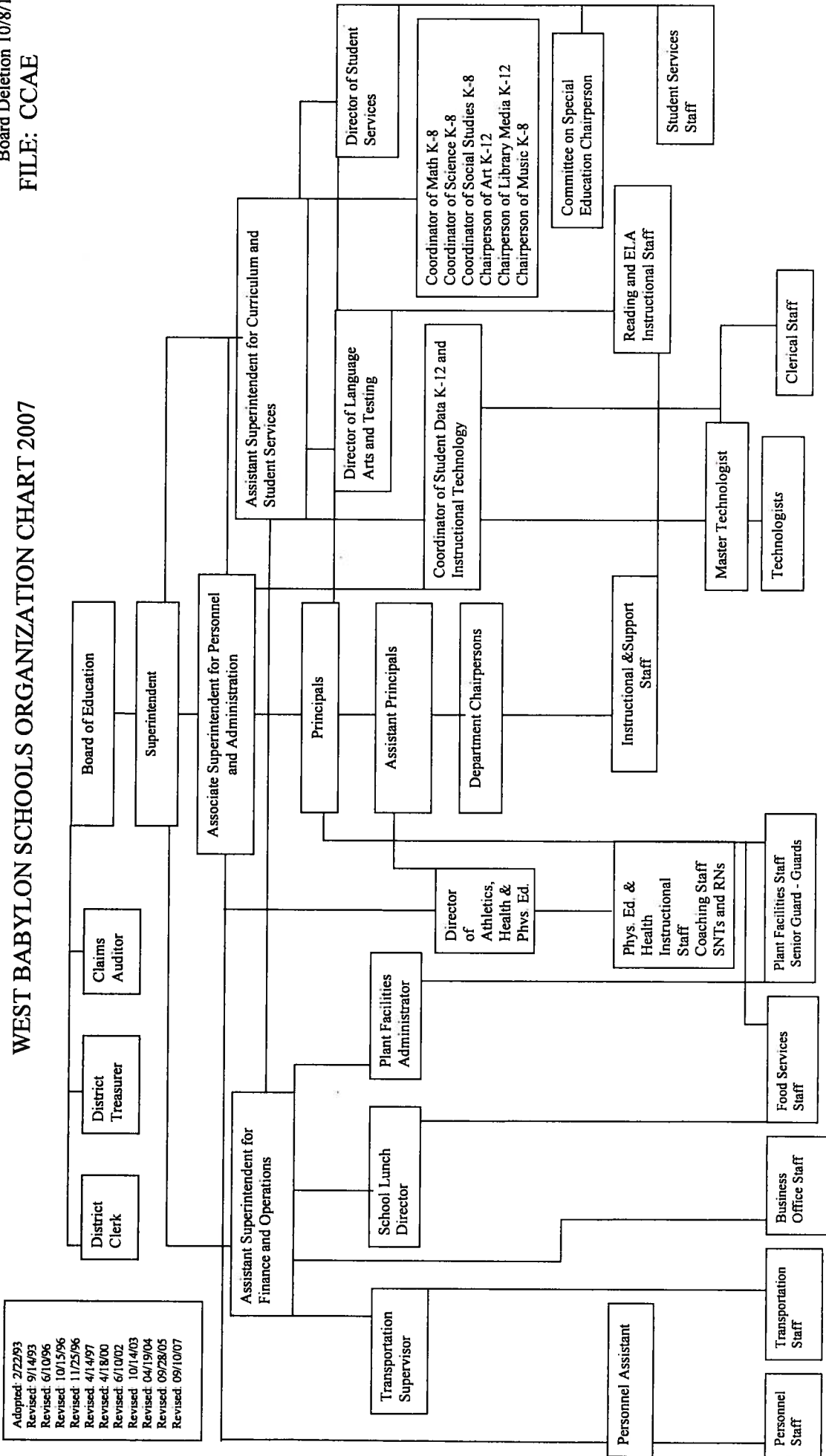
Adopted: 2/22/93
Revised: 9/14/93
Revised: 6/10/96
Revised: 10/15/96
Revised: 11/25/96
Revised: 4/14/97
Revised: 4/18/00
Revised: 6/10/02
Revised: 10/14/03
Revised: 04/19/04
Revised: 09/28/05
Revised: 09/10/07



DRAFT

WEST BABYLON SCHOOLS ORGANIZATION CHART 2007

Board Deletion 10/8/13
FILE: CCAE



Adopted: 2/22/93
 Revised: 9/14/93
 Revised: 6/10/96
 Revised: 10/15/96
 Revised: 11/25/96
 Revised: 4/14/97
 Revised: 6/18/00
 Revised: 6/10/02
 Revised: 10/14/03
 Revised: 04/19/04
 Revised: 09/28/05
 Revised: 09/10/07

COMPREHENSIVE TOBACCO POLICY

1530

Tobacco related illness and addiction are preventable. The West Babylon Board of Education and its staff recognize the need to educate our students about the dangers associated with the use of tobacco in any form. The Board of Education further recognizes the importance of prohibiting the use of all forms of tobacco on school property. This policy was developed in support of the district's commitment to the prevention of tobacco use.

Philosophy:

The West Babylon School District will use the following principles as guides for the development of its tobacco prevention efforts and for any disciplinary measures related to tobacco use:

- regular use of tobacco is ultimately harmful to every user's health, directly causing cancer, respiratory and cardiovascular diseases, adverse pregnancy outcomes, and premature death
- second-hand smoke is a threat to the personal health of everyone;
- nicotine is a powerfully addictive substance;
- tobacco use most often begins during childhood or adolescence;
- use of tobacco interferes with students' attendance;
- effective tobacco prevention education works;
- on school property, adults, including Trustees, administrators and all school staff, will model the behavior asked of students;
- the District along with all parents, students, staff and the community as a whole will assume a leadership role in tobacco education and prevention;
- promoting a tobacco free school will create a healthier generation

To achieve these ends, the District shall implement a comprehensive plan to prevent tobacco use consistent with No Child Left Behind and the Principles of Effectiveness. This includes:

- establishment of an environment free of tobacco use;
- tobacco use prevention education;
- support of tobacco use cessation;
- positive alternatives to tobacco use such as recreational and extra-curricular activities and sports;
- cooperation with community-wide efforts to prevent tobacco use; and as a basis for providing a consistent message to district youth

Education:

The District will maintain a sequential K-12 educational program designed to promote student adoption of healthy behaviors and prevention of tobacco. The educational program will help students develop a positive self-concept and appropriate life skills to resist the use of tobacco and to promote healthy lifestyles. Students will be provided with information about the relationship of tobacco use to other health compromising behaviors such as eating disorders.

Definitions:

The following definitions are adopted for the purpose of implementing this policy:

Tobacco:

Any cigarette (*including e-cigarettes*), cigar, pipe, bidi, clove cigarette, or any other smoking product; as well as spit tobacco, also known as smokeless, dip, chew, and snuff, or any other spit tobacco product in any form.

School Property:

Any building structure or vehicle owned, leased, or contracted by the West Babylon School District as well as athletic grounds, parking lots, or any other outdoor property owned, leased, or contracted by the West Babylon School District.

In an effort to maintain a tobacco use free environment the District prohibits:

Tobacco Use:

No person is permitted to use tobacco in any manner, at any time, including non-school hours, on school property or at any school-sponsored event or activity off campus. No student is permitted to possess tobacco on school property, grounds, or at school-sponsored event or activity off campus.

Tobacco Distribution:

Distribution or sale of tobacco, including any smoking device is prohibited on school property, and at any school-sponsored event or activity off campus.

Tobacco Promotion:

Tobacco advertising is prohibited on school property, at any school-sponsored event or activity off campus, and in all school-sponsored publications. The school will request tobacco-free editions of all publications in school libraries. Students are prohibited from wearing or having in their possession tobacco promotional items, including clothing, bags, lighters, and other personal articles on school property, grounds, or at any school-sponsored event or activity off campus. School acceptance of gifts, funding, or parent/classroom educational materials from the tobacco industry are prohibited (prevention/anti-tobacco materials may be exempted at the discretion of the Superintendent).

Tobacco Cessation:

Referrals and access to community resources and programs to help students and staff overcome tobacco addiction shall be provided. School counselors, health services, or community agencies are encouraged to establish voluntary tobacco-use cessation programs at school.

Notice

Signs communicating this policy shall be prominently posted and properly maintained where tobacco use and smoking are regulated by this policy, including all building entrances, grounds, and vehicles, buses and security cars. Signs shall include "No Smoking" or the international "No Smoking" symbol, which consists of a pictorial representation of a burning cigarette enclosed in a circle with a bar across it.

The West Babylon School District shall also notify students, parents/guardians, staff, contractors and other school visitors annually of the tobacco-free policy in written materials, which may include handbooks, manuals, contracts, newspapers, and newsletters.

Enforcement

Enforcement of this policy shall be equitable and consistent, in accordance with the Tobacco-Free School Policy Enforcement Procedures, student code of conduct, and employee personnel policies.

Student violations of this policy will lead to disciplinary action up to and including suspension from school. Discipline for all students will be consistent with the West Babylon Code of Conduct. Additionally, students will be referred to a guidance counselor, healthcare provider, substance abuse counselor or cessation programs. Student participation in a tobacco cessation program and/or tobacco education class may be allowed as an

alternative to discipline. Parents will be notified of violations involving their child and subsequent action taken by the school. The Suffolk County health department may be notified of tobacco use infractions.

Employee violations of this policy will lead to disciplinary action in accordance with personnel policies and may include verbal warning and/or written reprimand.

Violations by others will result in appropriate sanctions as determined and imposed by the Superintendent or Board.

Any person suspected of selling, distributing or in any way dispensing tobacco products to students shall be referred to a law enforcement agency.

Administrative Rules:

The superintendent may develop administrative regulations as necessary to implement this policy, including provisions for notification of the school's policy; disciplinary consequences; and procedures for filing and handling complaints about violations of the school's policy.

The superintendent shall ensure that the school's tobacco-use prevention program; policies, curricula, training and cessation programs are evaluated at regular intervals. The input of students, staff, parents and others from the community will be encouraged.

Legal References:

NYS Education Law, Article 9, Section 409. School building regulations in relation to health and safety.

NYS Education Law, Article 17, Section 804. Health education regarding alcohol, drugs, tobacco abuse and the prevention and detection of certain cancers.

NYS Department of Education, Commissioner's Regulations, Subchapter G, Part 135. Health, Physical Education and Recreation

NYS Public Health Law, Article 13-E, Section 1399. Regulation of smoking in certain public areas (Clean Indoor Air Act)

U.S. Department of Education –No Child Left Behind, Title IV C, Sections 4301-4303, Part A. Safe and Drug-Free Schools and Communities

Adopted: 12/08/2009

School Board Officer & Employee Code of Ethics

File: 2160

The Board of Education is committed to avoiding any situation in which the existence of conflicting interests of any Board member, officer or employee may call into question the integrity of the management or operation of the school district. Adherence to a code of ethics promotes public confidence in the schools and furthers the attainment of district goals.

The Board also recognizes its obligation to adopt a code of ethics setting forth the standards of conduct required of all Board members, district officers and employees under the provisions of the General Municipal Law. Therefore, every Board member, officer and employee of the district, whether paid or unpaid, shall adhere to the following code of conduct.

Statutory Conflicts of Interest

It is a conflict of interest for a Board member, officer or employee to benefit personally from contracts made in their official capacity.

- “Contract” is defined broadly to include any claim or demand against the district or account or agreement with the district, whether expressed or implied which exceeds the sum of \$750.00 in any fiscal year.
- An “interest” is defined as a direct or indirect benefit that runs to the employee as a result of a contract with the district.

No Board member, officer or employee shall have an “interest” (i.e. receive a direct or indirect benefit as the result of a contract with the district) in:

1. a firm, partnership or association in which he/she is a member or employee;
2. a corporation in which he/she is an officer, director or employee;
3. a corporation in which he/she, directly or indirectly, owns or controls 5% or more of the stock;
4. a contract between the district and his/her spouse, minor child or dependents, except for an employment contract between the school district, a spouse, minor child or dependent of a Board member authorized by §800(3) of the General Municipal Law or §3016 of the Education Law.

Disclosure Requirements

All Board members, officers and employees must publicly disclose the nature and extent of any non-exempted interest they or their spouse have, will have or later acquire in any actual or proposed contract, purchase agreement, lease agreement or other agreement involving the school district (including oral agreements), even if it is not a prohibited interest under applicable law as soon as he/she has knowledge of such prospective interest. Such disclosure must be in writing to his/her supervisor (if an employee) and the Board of Education and made part of the official record of the school district. Disclosure is not required in the case of an interest that is exempted under section 802 of the General Municipal Law (see 2160-E.1); however, Board members, officers and employees are encouraged to voluntarily make such disclosure.

Other Prohibited Activities

1. Gifts: A Board member, officer or employee shall not directly or indirectly solicit any gift or accept or receive any gift having a value of \$[25.00] 75.00 or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him/her in the performance of his/her official duties or was intended as a reward for any official action on his/her part.

2. Confidential Information: A Board member, officer or employee shall not disclose confidential information acquired by him/her in the course of his/her official duties or use such information to further his/her personal interest either directly or indirectly.
3. Representation before the Board or District: A Board member, officer or employee shall not receive or enter into any agreement, expressed or implied, for compensation for services to be rendered in relation to any matter before the school district.
4. Investments in conflict with official duties: A Board member, officer or employee shall not invest or hold any investment directly in any financial, business, commercial or other private transaction that creates a conflict with his/her official duties. Exceptions to the conflict of interest law can be found in Section 802 of the General Municipal Law (see 2160-E.1).
5. Private Employment: A Board member, officer or employee shall not engage in, solicit, negotiate for or promise to accept private employment when that employment or service creates a conflict with or impairs the proper discharge of his/her official duties.
6. Future Employment: A Board member, officer or employee shall not, after the termination of service or employment with the district, appear before the Board in relation to any action, proceeding, or application in which he/she personally participated during the period of his/her service or employment or that was under his/her active consideration.

Distribution of Code of Ethics

The Superintendent of Schools shall cause a copy of this Code of Ethics to be distributed to every member of the Board, every officer and employee of the school district. Each Board member, officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his or her office or employment. In addition, the Superintendent shall ensure that a copy of Article 18 of the General Municipal Law shall be kept posted in each public building under the jurisdiction in a place conspicuous to the district's Board members, officers and employees.

Penalties

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of the Board's code of ethics may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

Ref: General Municipal Law §§800; 801; 802; 805; 806-808
Education Law §§306; 1709; 2103; 2553; 2554; 2559; 3016
Local Finance Law §60.10
Public Officers Law §30(1)(h)
Appeal of Kelly, 45 EDR Dec. No.15253.(2005)
Application of Nett & Raby 45 EDR Dec. No. 14314 (2005)
Appeal of Taber, 42 EDR 251 (2003)
Appeal of Gill, 42 EDR 89 (2002)
Matter of Grinnell, 37 EDR 504 (1998)
Appeal of Vivlemoe, 33 EDR174 (1993)
Matter of Cox, 27 EDR 353 (1988)
Matter of Granirer, 26 EDR 393 (1987)
Op. Of Atty. Gen., [Inf.] 99-16
Op. State Comptroller, 91-26

Adopted: 12/08/2009

Exceptions to Conflict of Interest**2160-E.1**

Board members, officers and employees will not be deemed to have a conflict of interest in any of the exceptions listed in §802 of the General Municipal Law, including:

1. Contracts with membership corporations or other voluntary not-for-profit corporations or associations (e.g. Taylor Law collectively negotiated agreements, contract with a not-for-profit health services organization). [§802(1)(f) GML] [Note: No Board member is prohibited from voting on collectively negotiated agreements which are applicable to his/her spouse or child];
2. Appointment of a teacher who is a relative or spouse of a Board member, is permitted upon a two-thirds supermajority vote without limiting any Board member's right to vote. [§3016 Education Law]
3. The employment of a Board member as school physician is permitted upon a two-thirds vote of the Board. [§802(1)(i) GML]
4. Contracts entered into by the district with a person who is subsequently elected or appointed to the Board, a school district office or employment remain valid, except the contract may not thereafter be renewed. [§802(1)(h) GML]
5. A contract with a corporation of which the interest of the Board member officer or employee is, by reason of stockholding, less than 5% of the outstanding shares. [§802(2)(a) GML]
6. Contracts between the district and a Board member, officer or employee in which the total amount does not exceed \$750 in any fiscal year. [§802(2)(e) GML]
7. Where application of the conflict of interest rules would necessitate the engagement of a bank or trust company outside of the municipality or school district, the Board may designate a bank or trust company in which the Board President, treasurer or deputy treasurer has an interest in such entity. The designation shall be as a depository, paying agent or registration agent for the investment of funds. [§802(1)(a) GML]
8. A contract with a person, firm, corporation or association in which a municipal officer or employee has an interest prohibited solely by reason of employment as an officer or employee of such other entity, if their compensation will not be directly affected as a result of the contract with the municipality or school district and duties do not directly involve the procurement, preparation or performance of any part of the contract. [Appeal of Vivlemoe, 33 EDR 174 (1993)]
9. The designation of a newspaper, including the official newspaper, for the publication of notices, resolutions or other proceeding where publication is otherwise required or authorized by law. [§802(1)(c) GML]
10. The purchase of real property or any interest therein when approved upon a petition to the State Supreme Court by the Board of Education. [§802(1)(d) GML]
11. Acquisition of real property or an interest in real property through eminent domain proceedings. [§802(1)(f) GML]
12. Sale of bonds and notes pursuant to section 60.10 of the Local Finance Law. [§802(1)(g) GML]

CODE OF ETHICS ACKNOWLEDGEMENT

2160-E.2

I, _____, an officer/employee of the West Babylon Union Free School District, do hereby acknowledge receipt of a copy of the Code of Ethics of the West Babylon Union Free School District, this ____ day of _____ in the year 20____.

Signature of Officer/Employee

Printed Name of Officer/Employee